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JAN 20 2004

OFFICE OF PETITIONS

In re Application of
Crowder, et al.
Application No. 10/606,678
Filed: June 27, 2003
Attorney Docket No. 9336-3
For: DRY POWDER DOSE FILLING SYSTEMS
AND RELATED METHODS

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: DECISION DISMISSING
: PETITION
:
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This is a decision on the petition under 37 CFR 1.10(c), filed October 16, 2003 (certificate of mailing date October 14, 2003), requesting that the above-identified application be accorded a filing date of June 26, 2003, rather than the presently accorded filing date of June 27, 2003.

Petitioners request the earlier filing date on the basis that the application was purportedly deposited in Express Mail service on June 26, 2003, pursuant to the requirements of 37 CFR 1.10.

Unfortunately, the evidence to prove the June 26, 2003 filing is missing from the petition. Only the two page petition is present in the application file. The undersigned cannot properly render a decision until (at least) the copy of the Express Mail Pickup Service statement and the Track and Confirm statement, both referenced in the petition, are re-submitted.

Accordingly, the petition is dismissed and the filing date remains July 27, 2003. No petition fee has been or will be charged in connection with this matter.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450
Attn: E. Shirene Willis

By hand: Crystal Plaza 1 Lobby
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This application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6712.

A handwritten signature in cursive script, reading "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions